

FARAD CONTINUATION SHEET
APPELLATE SIDE
Criminal Writ Petition No.11 of 2007

Office Notes, Office Memoranda Court's or Judge's orders
of Coram, appearance, Court's
orders or directions and
Registrar's orders

Mr.Atul G. Damle for petitioner.
Mr.D.R.More, APP for State.

CORAM: B.H.MARLAPALLE,J.

September 12, 2007.

P.C.

. Heard Mr.Damle, the learned
counsel for the petitioner. Perused the
complaint as well as the reasoning set
out by the learned Addl. Sessions Judge
while rejecting the criminal revision
application challenging the order of
issuance of process.

. Notwithstanding the reasoning
stated by the learned Addl. Sessions
Judge, it is clear that the contentions
raised by the petitioner regarding the
liability of any debt or even otherwise
issuance of the cheques is a matter which

will have to be gone through by adducing evidence and the complaint filed under Section 138 of the Negotiable Instruments Act, 1881 cannot be quashed solely on the ground that the accused has already filed a suit against the complainant and in respect of the cheques which have been dishonoured.

. Hence the petition is rejected.

(B.H.MARLAPALLE,J.)